

LANDED ESTATES COURT (IRELAND).

RETURN to Two Orders of the Honourable The House of Commons,
dated 9 and 10 June 1873;—*for*,

(ORDER, 9 June 1873.)

RETURN " of the following Particulars:—

1. The Number of Cases remaining undisposed of on the 2nd day of November 1871;
2. The Number of Petitions filed between the 2nd day of November 1871 and the 16th day of November 1872;
3. The Number finally disposed of in same period of time, not including Cases in which the Petitions were dismissed;
4. The Number of Cases in which the Petitions were dismissed;
5. The Number of Cases remaining undisposed of on the 16th day of November 1872;
6. The Number of Petitions filed between the 16th day of November 1872 and the 25th day of May 1873;
7. The Number finally disposed of in same period of time, not including Cases in which the Petitions were dismissed;
8. The Number of Cases in which the Petitions were dismissed;
9. The Number of Cases remaining undisposed of on the 25th day of May 1873;
10. The Number of Rentals settled since the 16th day of November 1872;
11. The Number of Final Schedules finally adjudicated upon in same period of time, distinguishing Judge Flanagan's own Cases from those of the late Judge Lynch;
12. The Number of Fines and Drafts for payment of Money, signed by Judge Flanagan, since the 2nd day of November 1872;
13. The Number of Cases now in Court remaining for some Step to be taken, distinguishing:—
 1. Those in which Petition has been filed, but no further Progress made;
 2. Those in which Titles have been approved of;
 3. Those in which Sales have been made or Declaration of Title granted, but in which the Money has not yet been paid."

(ORDER, 10 June 1873.)

THAT there be added to the 13th Head of the RETURN [ordered 9th June]—

4. Those in which the Petitions were filed before the 2nd day of November 1871;
5. Those in which the Petitions were filed between the 2nd day of November 1871 and the 16th day of November 1872;
6. Those in which the Petitions were filed after the 16th day of November 1872."

(*Mr. Fin.*)

Ordered, by The House of Commons, to be Printed,
24 June 1873.

LANDED ESTATES COURT (IRELAND).

The Registrar of the Landed Estates Court to *T. H. Burke, Esq., Under Secretary.*

Sir,
 I beg leave to transmit the Returns of this Court to the Orders of the House of Commons of the 9th and 10th June 1873, upon the motions of Mr. Pim. We have endeavoured, as far as possible, to comply with the strict terms of the Orders, but for the reasons stated at No. 13 we could not supply all the details required by the Sub-numbers 1, 2, 3, until a late period of the Session.

With reference to the general state of business of the Court, as disclosed by these Returns, I have to state, for the information of Lord Hartington, that the statistics of the Court since its constitution show that at least one-third of the petitions for sale filed in each year are never proceeded with beyond obtaining an order thereon. In most of these cases the debt upon which the proceeding is taken is paid or settled, and the petition is abandoned, though not dismissed by order.

As to the mode in which the business in Court is prosecuted by the suitors it is usually very slow; a solicitor is considered to have disposed of a case with expedition if, presenting his petition in November, he winds up the case by the following August; but these are exceptional cases. In petitions by incumbents there is often much delay out of Court, by reason of the difficulty of getting the deeds and other evidences of title necessary for their abstracts; and besides, cases are often held back at the request of the parties interested.

In the year ending 31st October 1872, there were 191 final schedules of incumbrances filed in respect of sales had; of these 3 were cases in which the petitions were filed in 1872; 31 in 1871; 59 in 1870; 28 in 1869; 32 in 1868; and the remaining 38 in respect of petitions filed in earlier years.

In the Court the proceedings are not and never have been retarded in their progress; from the filing of the petition to the allocation of the funds. The various proceedings in each matter are disposed of as they are brought into the offices; and up to the present date there are no arrears in the Court or offices.

I have, &c.

(signed) *S. J. Lynch*, Registrar.

T. H. Burke, Esq., Under Secretary.

LANDED ESTATES COURT (IRELAND).

Return of the following Particulars:—

1.—The number of cases remaining undisposed of on the 2nd day of November 1871	1,474
2.—The number of petitions filed between the 2nd day of November 1871 and the 16th day of November 1872	403
3.—The number finally disposed of in the same period of time, not including cases in which the petitions were dismissed	145
4.—The number of cases in which the petitions were dismissed	107
5.—The number of cases remaining undisposed of on the 16th day of November 1872	1,893
6.—The number of petitions filed between the 16th day of November 1872 and the 26th day of May 1873	338
7.—The number finally disposed of in the same period of time, not including cases in which the petitions were dismissed	47
8.—The number of cases in which the petitions were dismissed	34
9.—The number of cases remaining undisposed of on the 26th day of May 1873	1,582
10.—The number of rentals settled since the 16th day of November 1872	140
11.—The number of final schedules finally adjudicated upon in same period of time, distinguishing Judge Flanagan's own cases from those of the late Judge Lynch:	
Judge Flanagan's own cases	38
Cases of the late Judge Lynch	36
	74

12.—The number of flats and drafts for payment of money signed by Judge Flanagan since the 2nd day of November 1872:									
Flats	-	-	-	-	-	-	-	-	623
Drafts	-	-	-	-	-	-	-	-	1,373
									1,395
13.—The number of cases now in Court, remaining for some step to be taken, distinguishing—									
1. Those in which the petition has been filed, but no further progress made	-	-	-	-	-	-	-	-	(a)
2. Those in which titles have been approved	-	-	-	-	-	-	-	-	
3. Those in which sales have been made, or declaration of title granted, but in which the money has not yet been paid	-	-	-	-	-	-	-	-	
4. Those in which the petitions were filed before the 2nd day of November 1871	-	-	-	-	-	-	-	-	1,195
5. Those in which the petitions were filed between the 2nd day of November 1871, and the 16th day of November 1872	-	-	-	-	-	-	-	-	357
6. Those in which the petitions were filed after the 16th day of November 1872	-	-	-	-	-	-	-	-	229

(a) There appear to be 1,782 cases now depending in the books of the Court, but as the foregoing Returns have been compiled principally from the published statistics of the Court, the analysis of these cases required by Nos. 1, 2, and 3, cannot be given without an investigation into the actual position of some 6,000 cases brought into Court since 1858. This investigation is now being made, but will occupy a considerable time, and therefore it has been deemed advisable to make the Return in its present form, adding thereto a Return of the present position of every case brought into Court in the years ending 31st October 1871, and 31st October 1872, respectively.

It is estimated that the result of the investigation above referred to, will show that of the above 1,782 cases, about 1,200 are cases which will never be proceeded with, or which have been substantially wound up; and the remainder represent the active business of the Court in all its stages.

RETURNS showing the Present Position of every Case brought into the Court in the Years ending 31st October 1871; and 31st October 1872, respectively.

Number of petitions filed in the year ending 31st October 1871	-	-	401	
" " in the year ending 31st October 1872	-	-	-	376
Number of such cases in which no proceeding has been taken by the solicitor in the court, beyond filing the petition, or obtaining a conditional or absolute order for sale		112	133	
Number of such cases dismissed	-	-	57	29
Number of such cases in which titles have been read, but no sales had, or declaration of title granted		128	161	
Number of such cases in which sales had, or declaration of title granted, but in which the money has not yet been paid		18	11	
Number of such cases, in which the final schedules have been lodged, and the funds allocated, or substantially allocated, or which (being of a miscellaneous character, such as petitions for appointment of trustees, for building or improvement, leases, &c.) have been wound up		91	37	
			401	376

Upon the 1st November 1872 there were 615 accounts open in the Bank lodgers.

In 250 of these there were no operations during the previous year, and in about 151 no operations, save the payment of dividends upon stock retained in court; leaving about 260 accounts in respect of cases being proceeded with.

20 June 1873.

S. J. Lynch, Registrar

LANDED ESTATES COURT (IRELAND)

R E T U R N

MADE TO THE

LANDED ESTATES COURT
(IRELAND).

(*Mr. P. W.*)

Printed by the General Government in Ireland,
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Order 1. 1874.